



## **APPROVED**

**ENVIRONMENTAL QUALITY ADVISORY BOARD  
CITY OF SCOTTSDALE  
7447 E. INDIAN SCHOOL ROAD, SUITE 105  
SCOTTSDALE, ARIZONA  
WEDNESDAY, NOVEMBER 16, 2005**

### **REGULAR MEETING MINUTES**

**PRESENT:** Daniel Basinger, Chairman  
Jimmy Leung, Board Member  
Don Manthe, Vice-Chairman  
Michele Cohen, Board Member  
Ron Hand, Board Member (via telephone until 7:27 p.m.)  
Jay Spector, Board Member (left at 7:20 p.m.)

**ABSENT:** Brian Munson, Board Member

**STAFF PRESENT:** Larry Person  
Michael Authement  
Chuck Skidmore  
Monroe Warren

#### **1 CALL TO ORDER**

The regular meeting of the Environmental Quality Advisory Board was called to order by Chairman Basinger at 5:30 p.m.

#### **2 ROLL CALL AND APPROVAL OF 10/26/05 MEETING MINUTES**

A formal roll call confirmed the members present as stated above.

#### **Minutes of 10/26/05 meeting**

**BOARD MEMBER SPECTOR MOVED THE APPROVAL OF THE OCTOBER 26, 2005 MINUTES. THE MOTION WAS SECONDED BY VICE-CHAIRMAN MANTHE AND CARRIED UNANIMOUSLY BY A VOTE OF 6 (SIX) TO 0 (ZERO).**

Chairman Basinger welcomed Dr. Jimmy Leung to his first meeting as a Board Member.

3. **OLD BUSINESS**

**LEED Gold Policy Update**

Mr. Authement reported that there were a couple of changes made to the report, which staff were bringing to the Board for a decision.

The old data came from the citizen's survey, which has changed. There is now nationally based information about education. Staff is requesting permission to use the new data and make a minor change to the wording. Mr. Person explained that only three of the 34 indicators would be changed in a significant way.

Mr. Person presented the Board with a draft of the data for the Green Building indicator. In the past, only Green Building permits issued for custom homes were tracked. Staff now want to put this into the context of all residential building permits. A discussion ensued regarding the best way to convey this information. Board Member Leung suggested graphing percentages, rather than total numbers. Vice-Chairman Manthe agreed that this would show trends more clearly.

Mr. Authement noted the additional change was to the service indicator report. A discussion ensued on how to most effectively convey the information. Mr. Authement suggested that in the future, EQAB could make the decision to have both quality of services and quality of life indicators separately. The old data is still there, but there is a disconnect between the old and new data. Staff are requesting approval of the change. He recommended that the Board discuss in a future meeting whether they want to add the quality of life indicators. The quality of services is a Scottsdale-only report. The text will identify the data derived from the new survey.

Vice-Chairman Manthe said he definitely wants to see the quality of services included in the report. Board Member Leung noted that some of the information is overlapping between the two indicators. Mr. Person explained the history of the survey. A discussion ensued on the publishing process and how Board Members will remain informed during the process.

**VICE-CHAIRMAN MANTHE MADE A MOTION TO HAVE NEW QUALITY OF LIFE AND QUALITY OF SERVICES GRAPHS AND TEXT TO REFLECT WHAT THE GRAPHS SHOW TO REPLACE THE OLD SURVEY DATA; TO HAVE A GREEN BUILDING PERMITS GRAPH AND TEXT THAT SHOW THE PERCENTAGE OF GREEN BUILDING PERMITS AS OPPOSED TO THE TOTAL; AND TO USE THE NEWLY AVAILABLE EDUCATION DATA FROM THE NEW SURVEY IN PLACE OF THE OLD DATA THAT THE CITY IS NO LONGER ABLE TO OBTAIN.**

**BOARD MEMBER LEUNG SECONDED THE MOTION, WHICH CARRIED UNANIMOUSLY BY A VOTE OF 4 (FOUR) TO 0 (ZERO). BOARD MEMBERS SPECTOR AND HAND WERE NOT PRESENT AT THE TIME THE MOTION WAS MADE.**

4. **NEW BUSINESS**

**Environmental Procurement Report/ Monroe Warren**

Mr. Monroe Warren, Purchasing Director for the City of Scottsdale addressed the Board, providing an update on environmental procurement.

The Purchasing Department has made a great deal of progress with recycled office supplies. There is still room for improvement on remanufactured toner cartridges and

they are going to work on that over the next few months. This will result in significant savings financially as well as helping the environment. Mr. Warren will prepare a report on the cost to the City of using recycled paper.

Mr. Warren met with Mr. Person and Mr. Authement about Green Building and they are working to prequalify Green Building contractors. It is important that the competitive element of procurement remain. Alternative methods to construction are being considered, which would be either job order contracting, construction manager at risk or design build. These are qualitative methods of evaluating. He cautioned that there are many factors to be considered.

Mr. Warren, Mr. Person and Mr. Authement discussed issuing a report on environmental procurement, noting that this would be useful for both Departments. Board Members Spector and Cohen posed questions regarding the proposed process for pre-qualification of green builders. Mr. Monroe stated that the City would still be under a low bid contract, but only the prequalified green builders would be eligible to bid. A discussion on procurement processes ensued.

Board Member Spector asked about the City's experience relating to construction manager at risk projects. Mr. Monroe explained that the City has only been using alternative procurement methods for a couple of years. Procurement is going to delegate all of the alternative methods to Capital Project Management. In his opinion, construction manager at risk saves time and reduces change orders, although he acknowledged that it costs more.

Vice-Chairman Manthe commented that the City of Phoenix has been doing almost exclusively CM at Risk jobs. He sees the benefit that the contractor and the engineer work together to put together the plans and specifications. In his experience there are a lot fewer change orders, and projects proceed more smoothly.

Board Member Spector asked how contractors can deal with guaranteed maximum prices on a project when commodity prices are so volatile. Was this the reason that CM at Risk projects are more costly?

Vice-Chairman Manthe explained that the guaranteed maximum price provides an incentive to the contractor to complete the project on a timely basis. He opined that on a municipal level, CM at Risk is a better scenario. After some further discussion, he added that CM at Risk is a lot like the green building program in that it appears to be more expensive, but there are less tangible cost savings.

Chairman Basinger agreed that always taking the lowest bid can lead to problems. Mr. Warren said that normally the bonding requirements are a safeguard. Board Member Spector commented that he has worked with smaller communities where spikes in material costs caused major problems with CM at Risk projects.

Mr. Person reported that he and Mr. Authement have been working on an application for Arizona Environmental Performance Track. On the State supplemental application, they ask to see the City's preferred vendor program. He explained that the State is recognizing some companies as preferred vendors. If Scottsdale joins Arizona Environmental Performance Track, the City would be expected to give preference to the companies on the State list. Mr. Person asked whether the City can legally grant what the State is requesting.

Mr. Warren said he cannot answer for the City Attorney's office. He felt the City could be getting onto shaky ground, but said it is an intriguing concept.

In response to a question from Chairman Basinger, Mr. Authement said the list of preferred vendors is not yet available. He felt that they would probably be able to use it as a resource.

A short discussion on hybrid vehicles ensued. Mr. Authement stated that they are not yet listed as alternative fuel vehicles. Board Member Spector suggested there could be a City policy requiring that future vehicles be hybrids.

Chairman Basinger commented that this brings up the issue of who sets the policies for the City. Mr. Warren said they have certain requirements. The use of rainforest wood is prohibited. Board Member Cohen asked who is driving the decision. Mr. Authement pointed out that some recycled products save on materials but use a great deal of energy in the process.

Board Member Cohen asked if EQAB wanted to suggest a policy on environmental procurement, would Procurement then be responsible for implementation? Mr. Warren replied that it would have to go through the City Manager's office.

Board Member Cohen wanted to know whether one policy would be needed or whether procurement and purchasing decisions are taken by different City departments. Mr. Warren thought there would need to be an overall statement, or mission statement, that environmentally sensitive procurement is in the City's best interest. There are environmental factors in the procurement code. They are not as stringent as the discussion tonight but they could be built on. Mr. Warren returned to Mr. Authement's point: Is sustainability more important than energy efficiency? He cautioned the Board against introducing a policy that was too strict or led to unintended consequences.

Chairman Basinger said this was an important preliminary discussion. He noted that remodeling projects are managed by the Facilities Department. LEED policies do not apply. The need exists to begin considering these issues. Mr. Warren opined that the biggest results would be achieved by concentrating on Procurement, Facilities, and Capital Project Management to start with.

Board Member Hand said he feels that the LEED policy is a benchmark and goal for all City policies to aspire to. He suggested looking at the EPA's Environmentally Preferable Products (EPP) Program. This is a list of environmentally sensitive products such as paper, toner, and cleaning supplies that have been properly researched. There are standards for paint, carpeting, and other building products. Perhaps EQAB could move on some of the issues or provide direction. An outline containing product information would be a great tool. Chairman Basinger requested that Mr. Person follow up.

Mr. Warren reported that by using networked copiers, the City was able to move 2.2 million copies off the stand-alone printers at a savings of 7 cents a copy. In ten months this represents a savings of \$154,000. Board Member Spector shared his experience with networked copiers that also accept incoming fax messages and a discussion ensued on office printing and copying.

Chairman Basinger thanked Mr. Warren for coming.

5. **STANDING COMMITTEE REPORTS**

**Green Building Report**

Board Member Cohen addressed the Meeting regarding the previous day's meeting. She read into the record a draft of a consensus statement regarding how the Committee is feeling about Mr. Gawf's report on the ASUF:

"The Green Building Advisory Committee, by consensus, stated that they appreciated the fact that the City of Scottsdale and ASUF were committed to building the ASU Scottsdale Center for New Technology and Innovation at the LEED-certified Level of Green building. And the Committee recognized the inherent value in the fact that this project will be the largest, and possibly the only, LEED-certified commercial office project in Scottsdale. The value, especially in the fact that Scottsdale does not require commercial projects to be built to LEED specifications. The Committee urged the City of Scottsdale and ASUF to aim higher than LEED-certified level and to work toward as high a level of LEED certification as is possible."

Board Member Cohen referenced the original vision design guidelines and development framework written by the Ad Hoc Working Group. The top visions were to: Exemplify environmental sustainability; commit to the achievement of LEED standard certification throughout the ASU Scottsdale Center project; create an environmentally outstanding project, which incorporates and applies green building principles throughout the area; and to create development that embodies the foresight and flexibility to withstand economic cycles, providing longevity into the 22nd century.

At the invitation of Chairman Basinger, Mr. Skidmore explained that people in the green building community had had various levels of expectation regarding the project. Expectations had been raised by the marketing strategy. Now that the solar collector on the Skysong shade structure is gone, people are disappointed. The Development Review Board meeting on November 17th will be important.

At the invitation of Chairman Basinger, Mr. Authement commented that at the outset of the Green Building Committee meeting, some people had seemed a little hostile. Once they understood that the LEED Gold policy applies only to City building, they were more understanding. Some of the confusion stems from not knowing where the LEED points will come from.

Chairman Basinger said that through the intervention of the Green Building Committee and EQAB, they had convinced the ASU Foundation to commit to a LEED certified building. This was before the City's LEED Gold policy was in place, and was the first time a commercial project of this magnitude had been done in Arizona.

Once the ASU Foundation made this commitment, the City stipulated that the project must be LEED certified, which is significantly above the basic City building code. Chairman Basinger explained that while negotiating with Mr. Gawf at the Green Building Committee meeting on November 15, he had agreed on behalf of everyone in EQAB and the Green Building Committee that they would support the project, given that it is a commercial project that had voluntarily agreed to pursue LEED certification.

Board Member Cohen remarked that Chairman Basinger had made that decision unilaterally. Chairman Basinger said that everything cannot be run through a committee; that it is in the purview of EQAB; and that when the announcement was originally made, everyone had been very happy at this significant step forward. He shared a letter from Dan Aiello of the Green Building Committee:

"I just wanted to personally thank you for your commitment to the cause and to apologize, if needed, if I said anything untoward in yesterday's discussion with you and Ed. Basically I shared my perceptions about what I actually was seeing re the physical manifestations, some of which you and Ed may have already perceived, or not. If not, hopefully I added to your information and perception palette. With that information transfer, I have the utmost confidence that you will incorporate same and will appropriately use/transfer it as you do what you do best, in dealing with the arena within which you operate.

"Without your participation and action in this activity, we would not get very far, nor would we be as far as we are. We are all committed to the same ideal and ideas: The very best that we can accomplish within the place, time, and conditions. We strive for the gold medals. We realistically know that we may fall short, but we also know that we will be further along than not striving at all.

"You and Ed have my continued respect and support."

Chairman Basinger attended a meeting earlier in the day with Mr. Gawf. Other participants were Joe Wheeler of Sundt, Don Coveyon from the ASU Foundation, Mr. Michael Clack, chief building official, Mr. Person and Mr. Skidmore.

Mr. Skidmore explained that the design is in its infancy. The discussion at the meeting today was very detailed, but none of it is guaranteed as of yet. They were asked not to talk about the details of what will be inside the building. He said that they went through every single point and he is satisfied that they are going to achieve LEED certification. A significant number of points were moved from the "no" column to the "maybe" column in the course of the meeting, which was what they had hoped to accomplish.

Chairman Basinger noted that the participants were very receptive. Mr. Person said that he is very hopeful. Mr. Skidmore said he received a commitment from the ASU Foundation that they would continue to meet and that information would be shared. He and Mr. Floyd will continue to monitor progress. Chairman Basinger noted that although ground will be broken in January, the City will then have to put a great deal of infrastructure into place. No drawings have been done as of yet.

Discussion ensued. Mr. Person reminded the Board that the building belongs to the ASU Foundation and the City cannot dictate to them.

Mr. Skidmore noted that he and Mr. Floyd bring a perspective on energy and the environment that will be shared with the Foundation and the parties involved in the project.

Board Member Cohen expressed concern about integrated design, given that no design professionals had been present at today's meeting. Mr. Skidmore said that would be a mistaken impression. Sundt, the construction company, is on board.

Mr. Person said that he was impressed with their process and the things that they came up with. They had a full print-out of the entire LEED checklist and which ones they were going for and specifically how they are going to get there. It was obvious that they knew what they were doing and have a plan. Their plan was from a national perspective and the City of Scottsdale people added a more local perspective.

Chairman Basinger said he had agreed to extend support because the ASU Foundation originally committed to LEED certification, EQAB had said the Board would support the Foundation as needed with either zoning or the Development Review Board. The request has now been made for EQAB's support at DRB. The City and the developer are in a partnership. Chairman Basinger expressed a desire to attend the DRB meeting and convey that EQAB is pleased that the developer, in listening to the community, decided that they would build a LEED certified project. EQAB is pleased that the City stipulated LEED certification in their zoning requirements so that the developer now has to develop a LEED certified project of over 1.2 million square feet. This is the only commercial office park development of this type in Arizona, and EQAB commends them for doing that.

Board Member Spector remarked that it would have been better to have a prepared statement that the Board could review and endorse.

Chairman Basinger noted that such was not possible, because the item was not on the agenda and would violate the Open Meeting laws.

Board Member Spector expressed discomfort in lending his support when he has not been involved in the whole process and so few details are available. A discussion ensued. Mr. Skidmore clarified that the DRB meeting on November 17 will be considering the height of Skysong and general dimensions of the buildings.

Chairman Basinger acknowledged the concerns of the Board Members, reiterating that his desire is to address the process, rather than specific details about the building and to express support and mention that LEED certification had been stipulated. He was also asked to state that EQAB will work with the developers to try and point out areas where the developer can achieve better. The goal is to provide the best quality project on this site for south Scottsdale.

Discussion ensued on the need for making a statement to the DRB. Chairman Basinger said that because he personally gave his word he would make the statement as an individual if the Board was not prepared to support the statement. Board Member Cohen opined that the people who are doing this project should defend their position themselves. Board Members Spector and Hand agreed with Board Member Cohen.

At the request of Chairman Basinger, Mr. Skidmore shared some perspective on the process, reminding the Board that a great deal has been accomplished with regard to the City. Because of some admittedly poor communication on the part of the developer and the ASU Foundation and some warped perceptions on the part of some people in the Green Building community, some of the credibility that EQAB and the Green Building Committee enjoy with City management has eroded. He would hate to see EQAB lose ground if people who do not fully understand the issues address the DRB meeting. The purpose of the meeting is not for the developer to brag or boast. There is a danger that misinformed public commentary could spread confusion. Chairman Basinger is trying to send the message to those members of the public that there is no need to be upset, that EQAB and Green Building support the project.

Board Member Spector argued that it is the developer's responsibility to brief the Board and they had chosen not to do so. He is not comfortable with being asked to support something about which he knows so little. After further discussion, Board Member Cohen requested that the discussion continue off the record.

Upon further discussion, Vice-Chairman Manthe suggested that Chairman Basinger may speak for EQAB to reiterate and remind the public that this is going to be a LEED certified building, which is stipulated in the zoning code.

Chairman Basinger clarified that he will commend the developer for listening to the community and for asking that LEED certification be included in the stipulations. He will thank the City for included the stipulation that the project be LEED-certified. Additionally, he will convey that the City, through its resources in the EQAB Board and the Green Building Committee, will work with the developer to ensure that this building and project are as green and sustainable as possible.

Board Member Spector suggested adding that the Board looks forward to having the developer attend a future EQAB meeting to brief the Board on the project. Chairman Basinger said he would speak to Mr. Gawf concerning that issue.

Vice-Chairman Manthe suggested Board agreement on three points:

- (1) That Chairman Basinger will commend the developer for producing a LEED certified building;
- (2) Ensure that the public knows that it is part of the zoning code;
- (3) That EQAB and the Green Building Committee will give them support to make it a better environmentally sustainable building.

Board Member Cohen expressed uncertainty that such is the job of EQAB, noting that her understanding of EQAB's job is to advise the Mayor and City Council. If someone else wants something, they need to approach the Board with a request.

Board Member Hand agreed with points one and two, expressing concerns regarding the third point.

Vice-Chairman Manthe opined that Chairman Basinger ought to speak on behalf of EQAB, but that he should speak for himself as well. Having made a statement that is the consensus of the Board, he should go on to make his own points, being clear that he was speaking as an individual.

Mr. Skidmore noted that the third point is potentially problematic, citing that if there is any criticism of the completed project, EQAB would be associated with it. He recommended making the first two points, which ought to be sufficient. Chairman Basinger acknowledged that the two points, in fact, deliver a stronger message than he had originally intended to deliver.

Chairman Basinger thanked the Board for their assistance.

#### **Water Advisory Committee**

Vice-Chairman Manthe reported that most Board Members toured the water plant. Construction of the plant is underway and will soon be completed. It is a significant public infrastructure. Chairman Basinger thanked the Water Advisory Committee for arranging the tour.

#### **Sustainability Indicators Report Update**

Mr. Person noted that the agenda called for Mr. Skidmore to provide an update on the LEED policy, which is postponed to the next meeting.

#### **BOARD MEMBER DISCUSSION OF ENVIRONMENTAL TOPICS**

Chairman Basinger announced that Board Member Spector has requested that the Board obtain EQAB polo shirts. Mr. Person will bring samples to the next Board meeting.

### **6. UPDATES AND REMINDERS**

The next Green Building lecture on December 1 is entitled Natural Building Materials.

The next Solar lecture is on November 17. The topic is Arizona Visions: Living with the Sun.

The next Household Hazardous Waste Collection Day is scheduled for January 14, 2006.

The next Electronics Recycling Day is December 3.



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The Development Review Board is meeting on November 17.

The next EQAB meeting is scheduled for December 21.

Reminder: EQAB annual officers election 1/18/06

7. **PUBLIC COMMENT**

None.

8. **ADJOURNMENT**

With no further business to discuss, being duly sworn and seconded, the meeting adjourned at 7:54 p.m.

Respectfully submitted,  
A/V Tronics, Inc.